

**United States Bankruptcy Court
Central District of California**

1415 State Street, Santa Barbara, CA 93101-2511

**ORDER AND NOTICE OF ENTRY OF ORDER
DENYING MOTION TO APPROVE REAFFIRMATION AGREEMENT**

DEBTOR(S) INFORMATION:

Jonathan Eli Herrick
faw A&L Home Enterprises, LLC, fka Jonathan Eli
Goodman-Herrick
SSN: xxx-xx-8652
EIN: N/A

PO Box 2588
Avila Beach, CA 93424

BANKRUPTCY NO. 9:20-bk-10197-MB
CHAPTER 7

- (1) Debtor filed, as docket entry # 22 , a Motion for Approval of Reaffirmation Agreement ("Motion") concerning a debt owing to VW Credit Inc. (*name of creditor*).
- (2) The Court provided notice of and held a hearing on whether it would grant the Motion.
- (3) Basis for denial of the Motion:
 - ☐ Debtor did not appear at the hearing.
 - ☐ Debtor voluntarily dismissed the Motion.
 - ☒ Approval of the Reaffirmation Agreement would impose an undue hardship on debtor or a dependent of debtor.
 - ☒ Approval of the Reaffirmation Agreement would not be in debtor's best interest.
 - ☐ A copy of the installment sale contract between the parties was not presented to the Court in support of the Reaffirmation Agreement, and therefore, this Court could not determine whether filing bankruptcy is an event of default under the contract. Accordingly, the creditor may not repossess the debtor's vehicle in reliance upon 11 U.S.C. § 521(d) without further order of this Court.
- (4) Based upon the foregoing, and pursuant to 11 U.S.C. § 524, **IT IS ORDERED** that the Motion is denied, reaffirmation of the debt is not approved, and the Reaffirmation Agreement is unenforceable.

FOR THE COURT,

Kathleen J. Campbell
Clerk of Court

Dated: June 19, 2020